

Preliminary Land Use Service (PLUS)

Delaware State Planning Coordination

122 William Penn Street • Dover, DE 19901 • Phone: 302-739-3090 • Fax: 302-739-6661

Purpose of PLUS - The PLUS process is intended to provide consolidated State comments regarding the proposed project. The Applicant is encouraged to submit the application during the concept stages of planning as this process often offers recommendations for changes to the plan. The application should be submitted after the pre-application meeting with the local jurisdiction but before formal application is made.

Please complete this PLUS application in its entirety. All questions must be answered. If a question is unknown at this time or not applicable, please explain. Unanswered questions on this form could lead to delays in scheduling your review. This form will enable the state staff to review the project before the scheduled meeting and to have beneficial information available for the applicant and/or developer at the time of review. If you need assistance or clarification, please call the State Planning Office at (302) 739-3090.

PLUS Number (to be completed by OSPC): 2014-05-01
Investment Level Per Strategies for State Policies and Spending (to be determined by OSPC): 2

1. Project Title/Name: Lands of Stanlan 7 LLC

2. Location (please be specific): 360' +/- Southwest of the Int. of Honeysuckle Drive & Route 7

3. Parcel Identification #: 08-050.00-013

4. County or Local Jurisdiction Name: where project is located: New Castle County

5. If contiguous to a municipality, are you seeking annexation: N/A

6. Owner's Name: Stanlan 7 LLC

Address: 234 North James St.

City: Newport

State: DE

Zip: 19804

Phone: 302-999-0708

Fax:

Email: afinerosky@pettinaro.com

7. Equitable Owner/Developer (This Person is required to attend the PLUS meeting):

Address: N/A

City:

State:

Zip:

Phone:

Fax:

Email:

8. Project Designer/Engineer: Carmine Casper / Howard L. Robertson, Inc.

Address: 801 Brandywine Blvd.

City: Wilmington

State: DE

Zip: 19809

Phone: 302-764-2456

Fax: 302-764-7022

Email: hlrobertsoninc@comcast.net

9. Please Designate a Contact Person, including phone number, for this Project: Carmine Casper 302-764-2456

Information Regarding Site:	
10. Type of Review: <input checked="" type="checkbox"/> Rezoning, If not in compliance with certified comprehensive plan <input checked="" type="checkbox"/> Site Plan Review <input type="checkbox"/> Subdivision	
11. Brief Explanation of Project being reviewed: Proposed 17,833 sq. ft. retail If this property has been the subject of a previous LUPA or PLUS review, please provide the name(s) and date(s) of those applications.	
12. Area of Project (Acres +/-): 22.23	Number of Residential Units: 0 Commercial square footage: 17,833 sq. ft.
13. Present Zoning: S	14. Proposed Zoning: CN
15. Present Use: Vacant	16. Proposed Use: 17,833 sq. ft. retail
17. Water: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: Artesian Water Company Will a new public well be located on the site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
18. Wastewater: <input type="checkbox"/> Central (Community system) <input type="checkbox"/> Individual On-Site <input checked="" type="checkbox"/> Public (Utility) Service Provider Name: New Castle County Will a new community wastewater system be located on this site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
19. If residential, describe style and market segment you plan to target (Example- Age restricted): N/A	
20. Environmental Impacts: Drainage Discharge How many forested acres are presently on-site? 4.5 ac. How many forested acres will be removed? 0 To your knowledge, are there any wetlands, as defined by the U.S. Army Corps of Engineers or the Department of Natural Resources and Environmental Control, on the site? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Are the wetlands: <input checked="" type="checkbox"/> Tidal Acres: <input type="checkbox"/> Non-tidal Acres: If "Yes", have the wetlands been delineated? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Has the Army Corps of Engineers signed off on the delineation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Will the wetlands be directly impacted and/or do you anticipate the need for wetland permits? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes", describe the impacts: How close do you anticipate ground disturbance to wetlands, streams, wells, or waterbodies? Over 100 feet	
21. Does this activity encroach on or impact any tax ditch, public ditch, or private ditch (ditch that directs water off-site)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
22. List the proposed method(s) of stormwater management for the site: Bio-Retention	
23. Is open space proposed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "Yes," how much? 19.8 Acres: What is the intended use of the open space (for example, active recreation, passive recreation, stormwater management, wildlife habitat, historical or archeological protection)? Stormwater Management	
24. Are you considering dedicating any land for community use (e.g., police, fire, school)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

25. Please estimate How many vehicle trips will this project generate on an average weekday? A trip is a vehicle entering or exiting. If traffic is seasonal, assume peak season: **801 TRIPS**

What percentage of those trips will be trucks, excluding vans and pick-up trucks? **2%**

26. Will the project connect to state maintained roads? ☒ Yes ☐ No

27. Please list any locations where this project physically could be connected to existing or future development on adjacent lands and indicate your willingness to discuss making these connections. **Currently connected to adjacent land, no others proposed.**

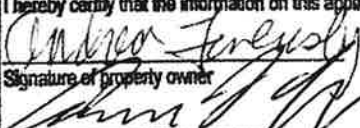
28. Are there existing sidewalks? ☒ Yes ☐ No; bike paths ☒ Yes ☐ No
Are there proposed sidewalks? ☐ Yes ☒ No; bike paths ☐ Yes ☒ No
Is there an opportunity to connect to a larger bike, pedestrian, or transit network? ☐ Yes ☒ No

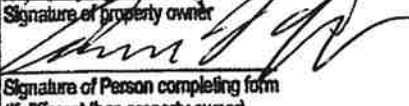
29. To your knowledge, is this site in the vicinity of any known historic/cultural resources or sites? ☐ Yes ☒ No
Has this site been evaluated for historic and/or cultural resources? ☐ Yes ☒ No
Would you be open to a site evaluation by the State Historic Preservation Office? ☒ Yes ☐ No

30. To promote an accurate review of your parcel's features, would you permit a State agency site visit? ☒ Yes ☐ No
Person to contact to arrange visit: **ANDREA FINEROSKY** phone number: **302-999-0708**

31. Are any federal permits, licensing, or funding anticipated? ☐ Yes ☒ No

I hereby certify that the information on this application is complete, true and correct, to the best of my knowledge.


Signature of property owner


Signature of Person completing form
(if different than property owner)

Date **4/15/14**
Date **4/16/14**

Signed application must be received before application is scheduled for PLUS review.

This form should be returned to the Office of State Planning electronically at Dorothy.morris@state.de.us along with an electronic copy of any site plans and development plans for this site. Site Plans, drawings, and location maps should be submitted as image files (JPEG, GIF, TIF, etc.) or as PDF files. GIS data sets and CAD drawings may also be submitted. ~~If electronic copy of the plans not available, contact Dorothy at (302) 739-3099 for further instructions.~~ A signed copy should be forwarded to the Office of State Planning, 122 William Penn Street, Dover, DE 19901. Thank you for this input. Your request will be researched thoroughly. Please be sure to note the contact person so we may schedule your request in a timely manner.

Thomas P. Gordon
County Executive



Eileen P. Fogarty
General Manager

Department of Land Use

April 7, 2014

Mr. Carmine Casper
Howard L. Robertson, Inc.
801 Brandywine Blvd.
Wilmington, DE 19809

RE: Stanlan 7 LLC - Application No. 2014-0092-S

The Department of Land Use is in receipt of the above submission and finds that it is complete. Pursuant to Section 40.31.113C.1. you must now submit the major plan and/or rezoning to the Office of State Planning for Preliminary Land Use Service (PLUS) review.

Upon receipt of the PLUS report and a finding by the Department that the exploratory plan is in general compliance with Chapter 40 of the County Code, the exploratory plan shall be scheduled for the next available Planning Board public hearing.

If the application is also a rezoning, the Department upon receipt of the PLUS report must first prepare a rezoning ordinance to be introduced at County Council. Following the introduction, the application will then be scheduled for the next available Planning Board public hearing.

Sincerely,

Antoni Sekowski
Planner III

c.c. Stanlan 7 LLC
Dorothy Morris – Office of State Planning

Department of Land Use Exploratory Report

Date: April 9, 2014
Engineering firm: Howard L. Robertson, Inc. – Carmine Casper
Application number: 2014-0092-S
Name of project: Lands of Stanlan 7 LLC
Description: 17,883 s.f. shopping center on 22.23 acres
Type of plan: Minor Rezoning Land Development plan

Project Review Team -

Planner Antoni Sekowski at 395-5414 or asekowski@nccde.org
Engineer John Gysling, P.E. at 395-5414 or jgysling@nccde.org
Historic Valerie Cartolano at 395-5440 or vcartolano@nccde.org
Transportation Owen Robatino at 395-5427 or orobatino@nccde.org
Special Services Robert Magnotti at 395-5722 or rmagnotti@nccde.org

Antoni
ni
Seko
wski

Digitally signed by
Antoni Sekowski
DN: cn=Antoni
Sekowski, o=New
Castle County
Government,
ou=Department
of Land Use,
email=asekowski
@nccde.org, c=US
Date: 2014.04.09
15:49:15 -04'00'

Status of Review:-

Acceptable for General Compliance for Office of State Planning PLUS Review and Planning Board public hearing. Upon receipt of the Office of State Planning PLUS written report, the exploratory plan will be scheduled for a Planning Board public hearing on the next available hearing date. The Department will issue an additional review report subsequent to the Planning Board public hearing which will either find the plan acceptable to proceed to County Council after addressing all comments and/or studies or, the Department will find the plan unacceptable wherein a revised exploratory plan submission must be made to address all comments and/or studies.

Public Hearings:

PLUS
Planning Board
County Council

Planning

- 1.) The proposed rezoning from S to CN may be considered inappropriate at this time. At the joint Department and Planning Board public hearing, the applicant should be prepared to discuss the plan's conformance with the Comprehensive Development Plan, impact upon the surrounding area and infrastructure, compatibility of land use intensity and scale of development, character of the neighborhood, zoning and use of nearby properties and the suitability of the property for the proposed use. Rezoning applications follow the procedure in Section 40.31.113 of the County Code.
- 2.) In meetings with the Department, building elevations were presented and revisions discussed. Submit copies of the agreed to conceptual designs which should be made part of the rezoning consideration as well. At the previous meeting, minor site design

revisions were also discussed. Confirm those have been addressed on the current submitted plans.

- 3.) Provide a more detailed analysis in the wetland report, per Chapter 40, Article 33, General Definitions, Wetlands Report. Specifically, include data forms and narrative that will clarify why the NWI maps do not depict the actual wetlands onsite, especially in the area where the National line overlaps the line defining the buildable area. Plan notes should clearly define the area of the wetlands investigation;
- 4.) Line L 1-29 appears to stipulate that resources exist downslope of it. Plan notes should clearly reflect that all areas within the proposed conservation easement are considered 100% protected. The property owner reserves the right to further define resources within the protected area in the future. The 50 foot buffer line should then be properly labeled and regulated as an RBA. Note that the Limits of Disturbance (LOD) cannot be located within the RBA. Demonstrate that any proposed disturbance is permitted in accordance with Table 40.10.210 of the NCCC;
- 5.) Delineate full 12'X60' loading bays in accordance with Section 40.22.621 of NCCC. Provide landscape islands for parking spaces which adjoin the loading bays;
- 6.) The Prohibitive and Precautionary Slopes appear to be more extensive than what is currently delineated on the plan. Note that Chapter 40, Article 33, General Definitions outline that any area where such slopes exists in any continuous horizontal increment of 50 feet or more shall be considered steep slopes. Note that the Prohibitive Slopes are 100% protected. Revise the plan to remove the LOD from the Prohibitive Slopes. Additionally, provide a narrative to demonstrate compliance with 40.10.340.B of the NCCC for disturbance of Precautionary Slopes;
- 7.) Submit a Landscape/lighting plan for review and approval. (Table 40.04.111, Article 23, Division 40.22.700);
- 8.) The center landscape island must be curbed;
- 9.) Remove bufferyard notes from Sheet 1 of the plan, per Appendix 1.2, Chapter 40 of the NCCC;
- 10.) Remove notes 11 and 15 from Sheet 1 of the plan, per Appendix 1.2, Chapter 40 of the NCCC;
- 11.) Provide legible road names and a north arrow in the location map, per Plan Requirement No. 3, Appendix 1, Chapter 40 of the NCCC;
- 12.) Connect the sidewalk to the existing bike path and extend it as may be directed by Deldot.
- 13.) Show all trash disposal areas and note they must be screened on all sides. (Sec. 40.03.431)

- 14.) Add the application number to the plan and reference it on all correspondence. (Appendix 1- 2.A.2.d.);
- 15.) Reference existing access agreements on the plan. It appears that the existing access agreement with the adjoining parcel may need to be updated. Please contact this office to discuss further;
- 16.) Submit a complete LDIA information sheet to initiate the performance surety process. (Sec. 40.31.820)
- 17.) If a complete record plan submission is not made within thirty-six months of the date of the Department's initial review, the application will be expired in accordance with Section 40.31.390 of the County Code. (Sec. 40.31.390)

Engineering

The Engineering Section within the Department of Land Use has reviewed the site plan submission for the referenced project and finds the plan conditionally acceptable subject to the following comments. Plan was received on March 28, 2014 and comments issued on April 7, 2014. (6 days)

1. Project application meeting was held on April 4, 2014. The project was reviewed and the steps necessary to demonstrate compliance by offset option was concluded. Results of the meeting will be sent electronically to all parties.
2. Provide a Grading Plan, Sediment and Stormwater Plan, checklists and fees pursuant to NCCDC 12.03.006 and 12.04.006 for construction plan submission.
3. Disturbed acreage does not agree between SLD-1 form and plan.
4. Conclusion within the stormwater narrative that infiltration is not feasible with rates of 0.5 inches per hour is not supported by data.
5. Project site may have been filled in the past. Provide any available information that may reveal the extent and nature of the fill. The fill may be the reason for the precautionary slopes. Care shall be exercised in the design of the embankment for any proposed stormwater facility.
6. Provide an outfall location for the proposed stormwater facility supported by topography and or photos that locate a channel or other location that will provide a stable and non-erosive point of discharge.

Comments to be addressed at construction stage:

7. Provide results of infiltration testing to determine feasibility of practices that rely on infiltration.
8. Please contact the Department of Special Services to determine the fee amount to include in the following note in accordance with UDC 40.27.240. Place the following note on the Record Plan.

Long Term Non- Residential Stormwater Management Fee:

“The Owner/Developer shall pay, to New Castle County, funds for non-residential storm water management facility maintenance pursuant to Section 40.27.240 of the County Code. The funds shall be used for the costs associated with facility maintenance and inspections. An amount of \$ XXXXXX shall be funded prior to the completion and use of any of the improvements proposed by this plan. The Department of Land Use shall withhold the approval of the stormwater as-built submission until the Department of Land Use is furnished with satisfactory written proof that the funds have been paid to New Castle County in accordance with the requirements.”

The Engineering Section makes every reasonable effort to identify all code deficiencies with each review. Any non-compliant item discovered throughout any stage of the process is still valid and must be resolved prior to recordation.

Please identify and locate the revisions to the plan sets made as a result of these comments in order to facilitate an efficient review of the next submission of this application. Include an electronic copy of your next and all subsequent submissions. Also, to help us better serve you, please provide advance notice on your resubmission date so that we can be available to meet if necessary.

Mapping

Property addresses not assigned at this time.

Transportation

Based on submitted traffic information and staff evaluation, the Transportation Section has determined the subject plan requires a Traffic Impact Study (TIS). This requirement is in accordance with Section 40.11.120 of the New Castle County Code.

The TIS shall be prepared according to Article 11 of the County Code and Chapter 2 of DelDOT's *Standards and Regulations for Subdivision Streets and State Highway Access*. The Applicant shall contact DelDOT to schedule a scoping meeting, per Sections 40.11.122 and 40.31.113 of the Code. A copy of the completed TIS shall be submitted to the Transportation Section. Please notify the appropriate parties of this requirement.

Standard Approvals and Comments before Recordation

DelDOT (Sec. 40.31.114.C.1.)

Fire Marshal (Sec. 40.31.114.C.2.)

LDIA (Sec. 40.31.820)

Landscape/Lighting plan (Appendix 1-1.C.1.b., Art. 23 and Table 40.04.111.)

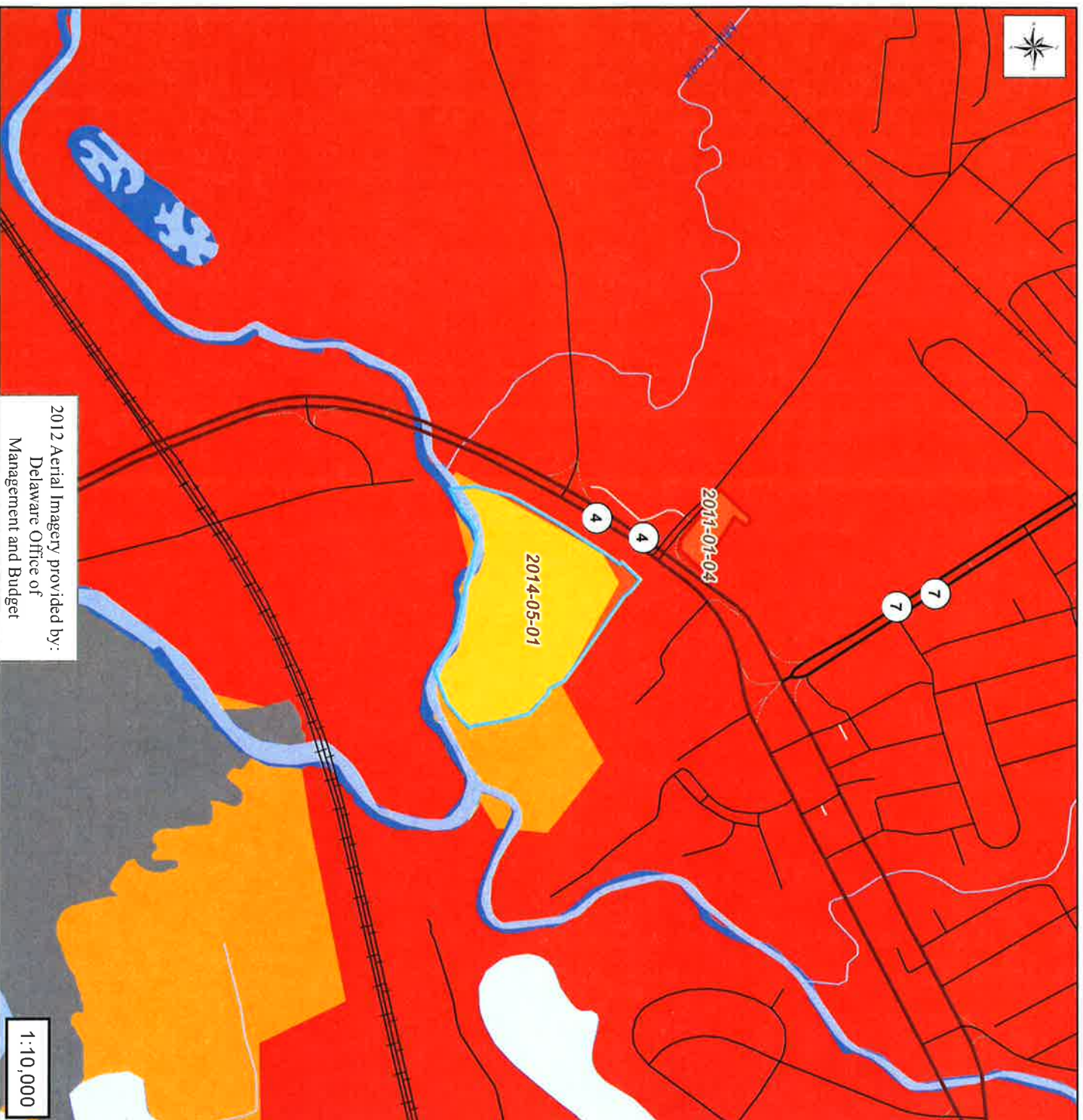
Water Capacity Certification (*Form 40.05.310*)

DelDOT Office of Aeronautics

c.c. Stanlan 7, LLC

Preliminary Land Use Service (PLUS)

Stanlan 7
2014-05-01



Location Map



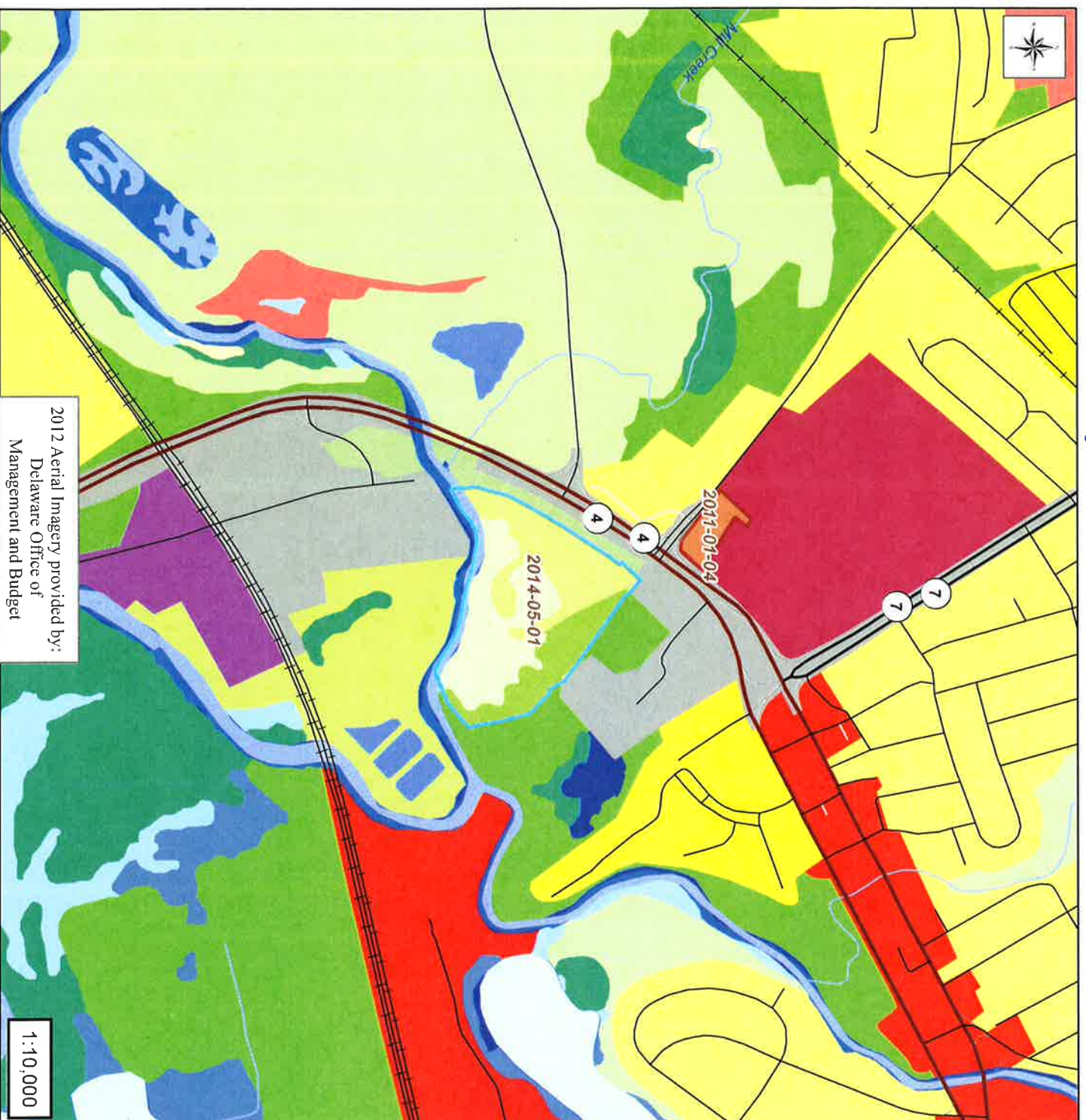
2012 Aerial Imagery provided by:
Delaware Office of
Management and Budget



Mapping provided by the Delaware
Office of State Planning Coordination
www.stateplanning.delaware.gov

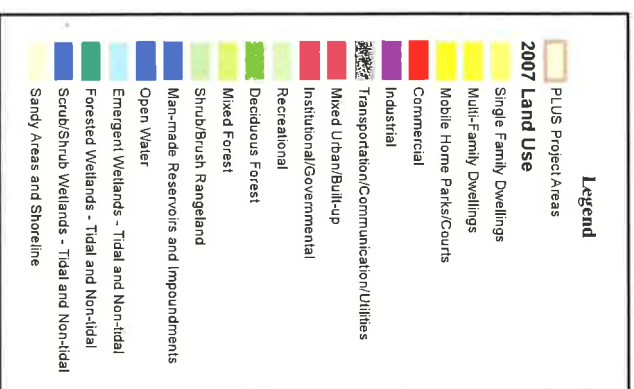
Preliminary Land Use Service (PLUS)

Stanlan 7
2014-05-01

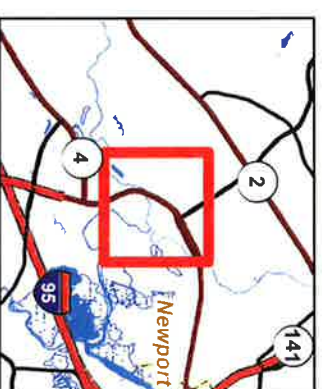


2012 Aerial Imagery provided by:
Delaware Office of
Management and Budget

1:10,000

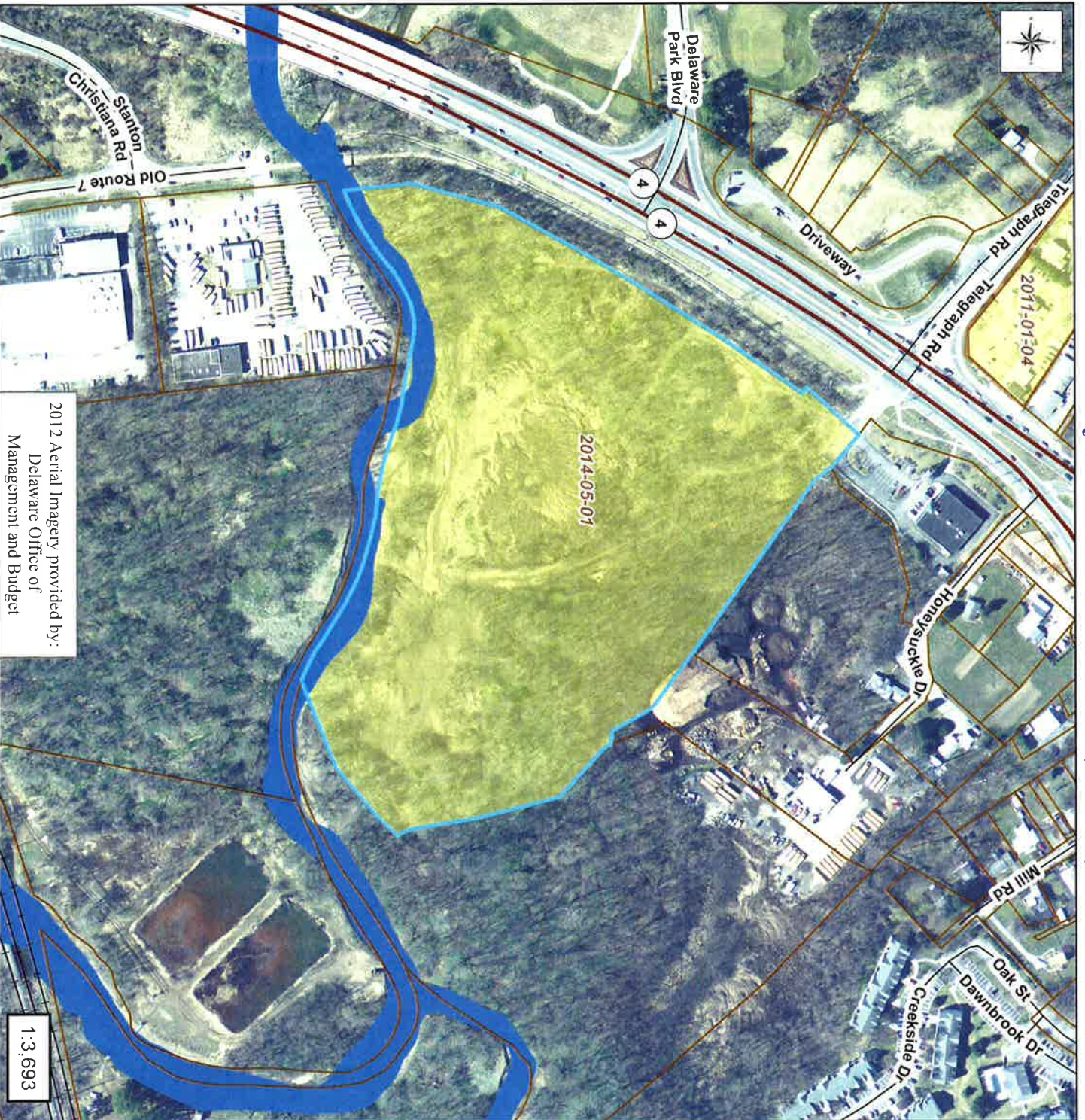


Location Map



Mapping provided by the Delaware
Office of State Planning Coordination
www.stateplanning.delaware.gov

Preliminary Land Use Service (PLUS)

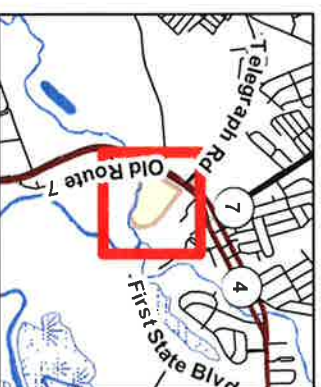


2012 Aerial Imagery provided by:
Delaware Office of
Management and Budget

Stanton 7
2014-05-01



Location Map



Mapping provided by the Delaware
Office of State Planning Coordination
www.stateplanning.delaware.gov